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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ANTHONY L. MANNING,)	Case No.: 1:21-CV-00071-GSA
)	
)	STIPULATION FOR VOLUNTARY
)	REMAND PURSUANT TO SENTENCE
)	FOUR OF 42 U.S.C. § 405(g)
Plaintiff,)	
)	
v.)	
KILOLO KIJAKAZI, ¹)	
Acting Commissioner of Social Security)	
Defendant.)	
)	
)	

IT IS HEREBY STIPULATED, by and between the parties, through their undersigned attorneys, and with the approval of the Court, that the Commissioner of Social Security has agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The purpose of the remand is to offer Plaintiff a new decision.

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

On remand, the Commissioner will conduct any necessary further proceedings and issue a new decision. The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

Respectfully submitted,

Dated: September 22, 2021

/s/ Jonathan O. Pena
(*as authorized via e-mail on 9/20/21)
JONATHAN O. PENA
Attorney for Plaintiff

Dated: September 22, 2021

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By: /s/ Marcelo Illarmo
MARCELO ILLARMO
Special Assistant United States Attorney

Attorneys for Defendant

ORDER

Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown, IT IS HEREBY ORDERED that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand. The Clerk of the Court is directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

IT IS SO ORDERED.

Dated: September 22, 2021

/s/ Gary S. Austin

UNITED STATES MAGISTRATE JUDGE

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